

Board of Selectmen's Meeting Minutes

May 6, 2010

Harpswell Town Office

Approved May 20, 2010

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The Board of Selectmen met at 5:30 p.m. to handle administrative matters: the draft letter of agreement with the Carrying Place Assembly was reviewed with CPA representatives; the action list was reviewed; several meetings were scheduled; the Board requested a map and figures on how many people would be affected by changing the Orr's Island/Cundy's Harbor voting districts from the Mountain Road to the Orr's Island Bridge also Long Point; in response to a complaint received regarding not approving a recreational grant opportunity, the Board reiterated the privacy concerns and not wanting to promote a commercial business, and agreed this was no reflection on the Recreation Director's excellent job performance; the Board asked that a draft policy, based on committee input, be written for consideration regarding the future use of the Orr's Island bridge property; purchase orders exceeding \$1,000 in value were reviewed and signed; and the Board agreed to have a culvert replacement on Sagamore Road sent out to bid.

Selectmen Present: James S. Henderson, Mark E. Wallace and Elinor Multer

Staff Present: Kristi Eiane, Town Administrator and Terri Sawyer, Deputy Town Administrator

Call to Order and Pledge of Allegiance: The meeting was called to order at 6:35 PM.

The meeting was videotaped and broadcast live on Harpswell Community Television.

1. Adoption of the Agenda: Chairman Henderson moved, seconded by Selectman Wallace to adopt the agenda as printed; motion passed 3-0.

2. Public Comment: Matthew Rich encouraged the Selectmen to disassociate themselves from Robert McIntyre as he represented at a School Board meeting that the Board of Selectmen was in agreement with the statements he made. Mr. Rich noted the difficulties the District addresses in its budget process and requested to know what action the Board will take to educate the public on the school budget process. Mr. Rich reviewed the effect of LD1 and the EPS formula. Chairman Henderson stated that no one was authorized to speak on behalf of the Board. Selectman Multer stated that Mr. McIntyre's statement is most misleading. Chairman Henderson reported that the School Finance Committee at its February 23 meeting did state that Harpswell would see a decrease of about \$600,000 and Topsham would see a large increase primarily due to the dismissal of Topsham's TIF. Mr. Rich encouraged the Board to hold a workshop on the School funding formula to gain a better understanding. Glenn Gott spoke against the Board's decision to provide a 6% raise to an employee as Town Meeting voted on 2%. Chairman Henderson responded that the decision was not made thoughtlessly. Selectman Multer responded there were reasons for the raise including the increase in responsibilities and the pay level structure. Kay Ogrodnik thanked the Board for sending its April 8 letter to Superintendent Wilhelm. Mrs. Ogrodnik stated information that affects Harpswell should come to the Town through its elected school board members.

3. Town Administrator's Report: Administrator Eiane stated that she has spoken with Joanne Rogers, MSAD 75 School Board member, and that they both are committed to improving communication. The first step is in the fall to schedule Board of Selectmen's meetings on opposite Thursday's from the School Board meetings to allow attendance at the different meetings. Administrator Eiane announced the pipeline removal project is proceeding quickly and should be completed in a couple of weeks. There have been a couple of areas with soil contamination and there is a meeting next week to discuss how to handle those situations. Administrator Eiane announced the MSAD 75 School Board Budget hearing is on May 27 at 6:30 p.m. at the Orion Performing Arts Center in Topsham. The Town Clerk's Office will close at 4:30 p.m. on May 27 as they need to get to the hearing early. Administrator Eiane reported that updated budget figures are available that shows a decrease in Harpswell's contribution of \$662,000 (not including the \$219,000 to keep West Harpswell School open). Administrator Eiane stated that this past Saturday was the Energy Fair and reviewed that the Town has a

weatherization grant program available and encouraged listeners to call for more details. Deputy Administrator Sawyer stated the Fair was a great event and encouraged anyone that was unable to attend to contact the Town for information on the items that were available, including the Town's programs. Administrator Eiane announced that Frank Norwood of Maine Veterans wants to get the word out about the availability of free services related to Military Funeral Honors. She will also pass the information onto an active resident and Legion member with military connections to further pass the word on.

4. Selectmen's Announcements: Selectman Wallace announced that Verizon has begun work on its equipment at the Communication Tower site. Chairman Henderson announced he attended the Harpswell Energy Marketplace on Saturday, which was very informative. Chairman Henderson clarified two points that were previously under discussion by the Board of Selectmen: 1. the Board discussed assisting in the repair of private roads that are eroding as there is a public benefit, but have made no final decision to do so; and 2. the Board declined to participate in a Recreational grant as it involved persons voting on the web and there was a concern of privacy issues.

5. Consent Agenda: 1) Approval of the Minutes; 2) Orr's Island Lease Agreements; 3) Insurance Renewal. Selectman Multer stated that Chairman Henderson is concerned that the public may not be clear about an item the Board is voting on within a consent agenda. Selectman Multer explained that the purpose of a consent agenda is to handle straight forward, non-controversial items in one motion and any Selectman can remove an item from the consent agenda to the regular agenda. Selectman Multer suggested explaining the purpose of a consent agenda over the next few meetings to allow the public time to understand the concept. Chairman Henderson reiterated the items placed on a consent agenda are routine items and not items agreed to before the meeting as the Board doesn't make decision until meeting. Chairman Henderson withdrew the minutes from the consent agenda. Chairman Henderson moved, seconded by Selectman Multer to pass the remaining two items; motion passed 3-0. Chairman Henderson moved, seconded by Selectman Multer to table the minutes; motion passed 3-0.

6. Consider Issuing Request for Proposals

- **Fork Lift at Recycling Center:** Fred Cantu, Recycling Center/Transfer Station Manager, reviewed that the facility's current forklift is 16 years old and has recently had costly repairs and is in need of additional repairs. Mr. Cantu stated the costs to continue to repair the equipment outweigh its current value and requested approval to send out requests for proposal for a new forklift at a maximum cost of \$20,000. A new forklift is in the capital plan for 2013 but upon further review, some items can be rearranged. Glenn Gott asked why only a purchase is considered as opposed to leasing. Mr. Cantu offered to investigate a lease option. Chairman Henderson moved, seconded by Selectman Multer to authorize the Town Administrator and Facility Manager to issue an RFP for a new or leased forklift; motion passed 2-0 (Selectman Wallace abstained).
- **Fire Department Pumper:** David Mercier, Harpswell Neck Fire Department Chief, stated after the last Selectmen's meeting, he reviewed the specifications and removed all references to "no exceptions" to allow for options except for one regarding stainless steel piping. Chairman Henderson questioned why the vehicles are purchased and not leased. Mr. Mercier responded that larger cities lease vehicles due to the greater use resulting in shorter life spans but since the Town can get about 20 years of use, purchasing is the better option. Mr. Mercier noted Harpswell Neck will have two pumpers, Orr's/Bailey has two and he believes Cundy's has one. Chairman Henderson moved, seconded by Selectman Multer to authorize the issuance of the RFP for the pumper specifications dated April 10 (with the addition of spelling out what CAFS stand for); motion passed 3-0.

7. Mitchell Field Committee Update: Rob Roark, Mitchell Field Implementation Committee member, stated the Committee has been very active on developing the zoning and performance standards with the consultant for Mitchell Field. There will be a third forum in June. Mr. Roark explained that the insurance company made a recent site visit to the pier at Mitchell Field and approved the improvements made to the pier and noted one item

of danger. One of the light poles on the pier has a hanging light fixture that needs to be removed. Favreau Electric has provided an estimate to remove all light poles from the pier for \$280. Mr. Roark noted while he hasn't spoken with all members, he believes the Committee is in favor of removing all poles. Mr. Roark provided a list of needed material to complete the railing around the pier and explained that if a few more areas of fence were removed, the fencing material would be enough to complete the pier work. Mr. Roark requested permission to remove the remaining north waterfront fence to the northwest corner, the remaining south waterfront fence to the first gate, remove the top rail from the fence behind the firehouse and a portion of the fence along the Knight property if need be. Administrator Eiane noted that Ms. Knight has stated she would prefer the fence to remain along her property. Selectman Wallace asked if more fence removal would result in an increase in four wheeler activity and if there were any concerns with the Town's insurance coverage. Administrator Eiane responded the insurance company has not expressed concerns about removing fence and has been at the site; Mr. Roark responded that the additional fence removal is making the shorefront opening larger which shouldn't create an issue. Chairman Henderson moved, seconded by Selectman Wallace to approve the removal of the noted fence areas except along the Knight property; motion passed 3-0.

8. Urban/Rural Initiative Program with Department of Transportation Re: Cundy's Harbor Road:

Administrator Eiane suggested tabling this item as there is new information. Senator Gerzofsky's Office has advised that State statute outlines that the financing for capital improvements to a minor collector road must be through a partnership between the Department of Transportation and the municipality. Additionally, the DOT is looking at its 4-rod policy and if it isn't required, it should allow for rehabilitating more than 4/10 of a mile. A DOT representative will attend the Board's next meeting to further discuss this project. Administrator Eiane reported that funds from the Town's Urban Rural Initiative Program URIP State payments can no longer be reduced to finance such projects. Administrator Eiane noted that the State is conducting a major study into the concept of turning responsibilities of minor collector roads to the towns with State funding for assistance.

9. Morse Lobster, LLC, DBA Estes Lobster House Renewal Liquor License, 1906 Harpswell Neck Road, Map 18, Lot 108: Deputy Administrator noted a hearing was not required as this application is for a renewal and not first-time license. Chairman Henderson noted the Codes Office and Cumberland County have been contacted for compliance. Chairman Henderson moved, seconded by Selectman Wallace to approve the Morse Lobster renewal liquor license for the Estes Lobster House; motion passed 3-0.

10. Consider Charter Environmental Request for Use of Mitchell Field: Administrator Eiane stated the pipeline removal project is almost complete in Harpswell and has been proceeding smoothly and quickly. Charter Environmental would like to hold a lobster bake on May 18 to celebrate the project and the Board of Selectmen and many others are invited for the celebration. Chairman Henderson moved, seconded by Selectman Multer to approve the application for use of Mitchell Field on May 18 and to waive the fees; motion passed 3-0.

11. Consider Hildreth Road Property Options: The Board discussed the available options for use of the Town-owned property and agreed obtaining a clear title is a must prior to proceeding. Chairman Henderson moved, seconded by Selectman Multer to authorize the process to obtain a marketable clear title, which is expected to cost \$5,000 - \$10,000 in legal costs; motion passed 3-0. Selectman Multer noted if the property is sold for affordable housing, the Board can make it affordable by setting a low minimum bid instead of using an agency such as Greater Brunswick Housing. Chairman Henderson questioned how the new Affordable Housing Ordinance impacts the property options.

12. Committee Appointments: Chairman Henderson moved, seconded by Selectman Wallace to appoint Christopher Hall to the Comprehensive Plan Implementation Committee; motion passed 3-0.

13. Consider Revision to Committee Guidelines: Glenn Gott asked if Committees had terms as they don't seem to ever be eliminated. The Board noted how some committees have ended upon completion of the mission. Kay Ogrodnik noted the Pipeline Committee will be disbanded in the near future with the completion

of the pipeline removal. The Board discussed the suggested changes to the Committee Guidelines and made a few additional changes. Chairman Henderson moved, seconded by Selectman Multer to adopt the revised guidelines; motion passed 3-0.

14. Consider Nomination to Maine Municipal Association Legislative Policy Committee: Selectman Multer expressed an interest to be on the Legislative Policy Committee. Chairman Henderson moved, seconded by Selectman Wallace to nominate Selectman Multer; motion passed 3-0.

15. Consider Policy for Accepting Pre-payment of Shellfish License Fee: The intent of this policy is to allow the existing commercial shellfish license holders to make payments throughout the year for the annual shellfish license fee. Selectman Multer moved, seconded by Selectman Wallace to approve the policy with an individual minimum payment amount of \$10.00; motion passed 3-0.

16. Other Business: None

17. Authorization of the Warrant: Selectman Wallace moved, seconded by Chairman Henderson to authorize warrant #28 in the amount of \$726,502.74; motion passed 3-0. Chairman Henderson moved, seconded by Selectman Multer to authorize warrant #29 in the amount of \$22,713.53; motion passed 2-0 (Selectman Wallace abstained). Payroll warrant #19 in the amount of \$18,442.38 was noted for the record.

18. Adjournment: The meeting adjourned by unanimous vote at 8:35 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments:
[Attachments are available at the Town Clerk's Office or by email at harpwell@gwi.net]